

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	200-1065 (FGT-1922 PA)
First Inventor	Joseph Carr Meyers
Title	Roll Over Stability Control For An Automotive Vehicle
Express Mail Label No.	EV 983 264 342 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 115]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. Oath or Declaration [Total Sheets 2]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

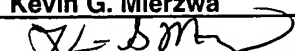
9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/378,225Prior application information: Examiner Camby, Richard M. Art Unit: 3661  
For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number: 28549 OR ☐ Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	
Name (Print/Type)	Kevin G. Mierzwa	Registration No. (Attorney/Agent)	38,049
Signature		Date	4-19-04

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 2782.00

## Complete if Known

Application Number Filed Herewith  
Filing Date Filed Herewith  
First Named Inventor Joseph Carr Meyers  
Examiner Name Camby, Richard M.  
Art Unit 3661  
Attorney Docket No. 200-1605 (FGT-1922 PA)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 06-1510  
Deposit Account Name Ford Global Technologies, LLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	770.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ ) 770.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
127	20** = 107	X 18	= 1926
4	3** = 1	X 86	= 86
Multiple Dependent			

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid.

SUBTOTAL (3) (\$ )

## SUBMITTED BY

Name (Print/Type) Kevin G. Mierzwa Registration No. (Attorney/Agent) 38,049 Telephone 248-223-9500  
Signature *[Signature]* Date 4-19-04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket No. 200-1065 (FGT-1922 PA)

Anticipated Classification of this  
application

Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior application: 10/378,225

Examiner: Camby, Richard M.  
Art Unit: 3661

Mail Stop Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**FILING UNDER 37 CFR 1.53(b)**

- WARNING:** A c-i-p (continuation-in-part) cannot be filed under 37 CFR 1.53.
- WARNING:** Filing under 37 CFR 1.53 is permitted only if filed by the same or less than all the inventors named in the prior application.
- WARNING:** The filing of an application as the United States stage of an International Application requires an oath or declaration. 37 CFR 1.61(a)(4).
- WARNING:** The claims of this new application may be finally rejected in the first Office Action where all claims of the new application are drawn to the same invention claimed in the earlier application and would have been properly finally rejected on the grounds or art of record in the next Office Action if they had been entered in the earlier application. MPEP 706.07(b).

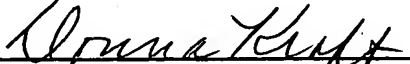
This request for filing a      Continuation   X   Divisional application under 37 CFR 1.53, of pending prior application serial no. 10/378,225 filed on 03/03/2003 of Joseph Carr Meyers and Todd Allen Brown for

**ROLL OVER STABILITY CONTROL FOR AN AUTOMOTIVE VEHICLE**

**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this 37 CFR 1.53 request and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 4-19-04, in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Mailing Label Number EL 983 264 342 US addressed to the: Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Donna Kraft  
(Name of person mailing paper)

  
(Signature of person mailing paper)

NOTE: 37 CFR 1.53 permits the omission of a declaration only if the prior application was complete as set forth in 37 CFR 1.51(a), namely, the prior application comprised at least (1) a specification, including a claim or claims; (2) a declaration; (3) drawings when necessary; and (4) the prescribed filing fee. Accordingly, as presently worded, 37 CFR 1.53 does not permit this procedure to be used where the prior application is pending but only the processing and retention fee required by 37 CFR 1.21(l) is paid or where the declaration was not filed.

**1. Copy of Prior Application as Filed Which Is Attached**

  X   I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed (37 CFR 1.53).

The copy of the papers of prior application as filed which are attached are as follows:

  21   page(s) of specification

  93   page(s) of claims

   1   page(s) of abstract

   5   page(s) of drawing  
(Also complete part 6 below if drawings are to be transferred)

   2   pages of declaration and power of attorney

If the copy of the declaration being filed does not show applicant's signature, indicate thereon that it was signed and complete the following:

       In accordance with the indication required by 37 CFR 53(b) my records reflect that the original signed declaration showing applicant's signature was filed on \_\_\_\_\_.

       the amendment referred to in the declaration filed to complete the prior application and I hereby state, in accordance with the requirements of 37 CFR 1.53(b), that this amendment did not introduce new matter therein.

**2. Amendments**

**WARNING:** "The claim of a new application may be finally rejected in the first Office action in those situations where (1) the new application is a continuing application of, or a substitute for, an earlier application, and (2) all the claims of the new application (a) are drawn to the same invention claimed in the earlier application, and (b) would have been properly finally rejected on the grounds or art of record in the next Office action if they had been entered in the earlier application." MPEP '706.07(b).

  X   Cancel in this application original claims 1-311 and 439-613 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

       A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

3. **Petition for Suspension of Prosecution for the Time Necessary to File an Amendment**

\_\_\_\_\_ There is provided herewith a Petition To Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently).

4. **Fee Calculation (37 CFR 1.16)**

	<b>No. Filed</b>	<b>No. Extra</b>	<b>Small Entity Fee</b>	<b>Large Entity Fee</b>
<i>Basic Fee</i>			<i>\$385</i>	<i>\$770 770.00</i>
<i>Total Claims</i>	<i>127</i>	<i>107</i>	<i>x9 =</i>	<i>x18 = 1926.00</i>
<i>Indep. Claims</i>	<i>4</i>	<i>1</i>	<i>x43 =</i>	<i>x86 = 86.00</i>
<i>Multiple Dependent Claims</i>			<i>x145 =</i>	<i>x290 =</i>
			<b>TOTAL \$</b>	<b>TOTAL \$2782.00</b>

\_\_\_\_\_ Fee for extra claims is not being paid at this time. (37 CFR 1.16(d))

Filing Fee Calculation **\$2,782.00**

5. **Drawings**

**WARNING:** Do not check the following box if prior case is not to be abandoned.

\_\_\_\_\_ Transfer the drawings from the prior application to this application and, subject to item 17 below, abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application file. (May only be used if signed by (1) applicant, (2) assignee of record or (3) attorney or agent of record authorized by 37 CFR 1.138 and before payment of issue fee).

  X   Transfer the following sheet(s) of drawing from the prior application to this application   5  .

\_\_\_\_\_ A copy of the amendment cancelling these sheets of drawing in the prior application is attached.

\_\_\_\_\_ New drawings are enclosed:

\_\_\_\_\_ formal

\_\_\_\_\_ informal

**WARNING:** DO NOT submit original drawings. A high quality copy of drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be on strong, white, smooth, and non-shiny paper and meet the standards of '1.84. If corrections to the drawings are necessary, they should be made to the original drawings and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. Comments on proposed new 37 CFR 1.84. Notice of March 9, 1988 (1090 O.G. 57-62).

**6. Priority - 35 U.S.C. 119**

\_\_\_\_ Priority of application serial no. \_\_\_\_\_ filed on \_\_\_\_\_ in  
\_\_\_\_\_ is claimed under 35 U.S.C. 119.  
(country)

\_\_\_\_ The certified copy has been filed in prior U.S. application serial no. 0 /  
on \_\_\_\_\_.

\_\_\_\_ The certified copy will follow.

**7. Relate Back - 35 U.S.C. 120**

\_\_\_\_ The enclosed Preliminary Amendment awards the specification to relate back to  
the parent case.

**8. Inventorship Statement**

- (a) With respect to the prior co-pending U.S. application from which this application claims  
benefit under 35 USC 120 the inventor(s) in this application is (are):

X  the same

\_\_\_\_ less than those named in the prior application and it is requested that the  
following  
inventor(s) identified above for the prior application be deleted:

---

(Type name(s) of inventor(s) to be deleted)

- (b) The inventorship for all the claims in this application are:

X  the same

\_\_\_\_ not the same, and an explanation, including the ownership of the various claims  
at the  
time the last claimed invention was made, is submitted.

**9. Assignment**

X  The prior application is assigned of record to Ford Global Technologies, LLC

\_\_\_\_ an assignment of the invention to \_\_\_\_\_ is attached.

**10. Fee Payment Being Made At This Time**

☐ Not Enclosed

☐ No filing fee is submitted. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently).

☒ Enclosed

☒ basic filing fee \$770.00

☐ recording assignment (\$40.00; 37 CFR 1.21(h)) \$

☐ processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(l)) \$

**Total fees enclosed \$**

**11. Method of Payment of Fees**

☒ enclosed is a check in the amount of \$

☐ charge Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_. A duplicate of this request is attached.

**12. Authorization To Charge Additional Fees**

**WARNING:** If no fees are being paid on filing do not complete this item.

**WARNING:** Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claim charges are authorized.

☒ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of the application to Account No. 50-0476.

☒ 37 CFR 1.16(a), (f) or (g) (filing fees)

☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)

☐ 37 CFR 1.17 (application processing fees)

**WARNING:** While 37 CFR 1.17(a), (b), (c) and (d) deal with extensions of time under '1.136(a) this authorization should be made only with the knowledge that: "Submission of the appropriate extension fee under 37 CFR 1.136(a) is to no avail unless a request or petition for extension is filed." [emphasis added]. Notice of November 5, 1985 (1060 E.G. 27).

☐ 37 CFR 1.18 (issue fee at or before mailing Notice of Allowance, pursuant to 37 CFR 1.311(b)).

**13. Power of Attorney**

  X   The power of attorney in the prior application is to

<u>Kevin G. Mierzwa</u>	<u>38,049</u>
Attorney	Reg. No.

- a.   X   The power appears in the original papers in the prior application.
- b.        Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c.        A new power has been executed and is attached.
- d.   X   Address all future communications to:

Kevin G. Mierzwa, Esq.  
Artz & Artz, P.C.  
28333 Telegraph Road, Suite 250  
Southfield, MI 48034

**14. Maintenance of Copendency of Prior Application**

(This item must be completed and the papers filed in the prior application if the period set in the prior application has run)

       A petition, fee and response has been filed to extend the term in the pending prior application until \_\_\_\_\_.

       A copy of the petition for extension of time in the prior application is attached

**15. Conditional Petition for Extension of Time in Prior Application**

(complete this item and file conditional petition in the prior application if previous item not applicable)

       a conditional petition for extension of time is being filed in the pending parent application.

       A copy of the conditional petition for extension of time in the prior application is attached.



**16. Abandonment of Prior Application (If applicable)**

**WARNING:** (Do not complete this item if the application being filed is a divisional of the prior application which is not being abandoned)

\_\_\_\_ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 4-19-04

Kevin G. Mierzwa  
Type or print name of person  
signing

  
Signature

P.O. Address of Signatory  
28333 Telegraph Road  
Suite 250  
Southfield, MI 48034  
Tel. No.: (248) 223-9500

\_\_\_\_ Inventor  
\_\_\_\_ Assignee of complete interest  
\_\_\_\_ Person authorized to sign on  
behalf assignee

Reg. No. 38,049  
(if applicable)

X Attorney or agent of record  
\_\_\_\_ Filed under Rule 34(a)

Assignment recorded in PTO on November 5, 2001

Reel 012169 Frame 0925